

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

JOHN A. ORTLAND

PLAINTIFF

V.

CIVIL ACTION NO. 1:07cv1075LG-RHW

SHERIFF BRISOLARA, FORMER
SHERIFF GEORGE H. PAYNE, JR.,
MAJOR DIANNE GASTON-RILEY,
CAPTAIN PHIL TAYLOR, et al.

DEFENDANTS

STATE OF MISSISSIPPI

COUNTY OF HARRISON


AFFIDAVIT OF SHERIFF MELVIN T. BRISOLARA

PERSONALLY CAME AND APPEARED BEFORE ME the undersigned authority in and for the County and State aforesaid, the within named, Sheriff Melvin T. Brisolara, who, after first being duly sworn by me on his oath, did depose and state the following:

1. My name is Melvin T. Brisolara. I am over the age of twenty-one (21) years. I have personal knowledge of the matters and facts contained in this Affidavit and I am competent to testify to the matters stated herein.
2. At no time relevant to the allegations in Plaintiff's Complaint in this Civil Action was I the duly elected Sheriff of Harrison County. I took office as the Sheriff of Harrison County in January of 2008.
3. I had no communication or other personal interaction or contact with the Plaintiff in this case at any time during the period of his incarceration at HCADC.


4. I was not present during any of the alleged events in the Plaintiff's Complaint. Furthermore, I was never present at any locations where he may have been at any time.
5. I had no involvement in, or knowledge whatsoever of, any of the alleged events or incidents, of September 8, 2004, involving Plaintiff which allegedly occurred in the booking area of the Harrison County Adult Detention Center, until after the alleged incident had already concluded.
6. At no time was I ever deliberately indifferent to any detainee's rights, including the Plaintiff's.

Further, Affiant sayeth not.



Sheriff Melvin T. Brisolara

Sworn to and subscribed before me on this the 18 day of November, 2009.



Notary Public

